

City of Round Rock
Regular City Council Meeting
September 10, 2009

The Round Rock City Council met in Regular Session on Thursday, September 10, 2009, in the City Council Chamber, 221 E. Main Street.

[CALL SESSION TO ORDER - 7:00 P.M.](#)

Mayor McGraw called the meeting to order at 7:01 p.m.

[ROLL CALL](#)

Those members present were Mayor Alan McGraw, Mayor Pro-Tem Joe Clifford, Councilmember Rufus Honeycutt, Councilmember George White, Councilmember Carlos Salinas, and Councilmember John Moman. Councilmember Whitfield was absent from this meeting. Also present were Assistant City Manager/CFO David Kautz, Assistant City Manager Cindy Demers and City Attorney Steve Sheets.

[PLEDGE OF ALLEGIANCE:](#)

Mayor McGraw led the following pledges of allegiance:

3A. United States Flag

3B. Texas State Flag

[CITIZEN COMMUNICATION](#)

Joanne Land, 308 White Wing Way, spoke to the City Council regarding item 10B1.

[CONSENT AGENDA: All items listed with an asterisk \(*\) are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless requested by a Council member in which event the item will be removed from the consent agenda and considered in its normal sequence on the regular agenda.](#)

*6A. Consider approval of the City Council minutes for August 27, 2009.

*9A1. Consider an ordinance repealing Ordinance No. G-00-01-27-12D7 and designating the intersection of Greenlawn Boulevard and a Dell driveway as an all-way stop intersection. (Second Reading)

*9A2. Consider an ordinance designating the intersection of Parker Drive and Jarrett Way as an all-way stop intersection. (Second Reading)

*9A3. Consider an ordinance amending Chapter 9, Section 9.503, Code of Ordinances, amending a school speed zone on Gattis School Road. (First Reading)(Requires Two Readings)

*9A4. Consider an ordinance authorizing a temporary 35-mph construction speed zone on Old Settlers Boulevard from Chandler Creek to Fairview Drive. (First Reading)(Requires Two Readings)

*9A5. Consider an ordinance granting a franchise to Waste Management of Texas, Inc. to engage in non-residential garbage collection within the City. (First Reading)(Requires Two Readings)

*10A1. Consider a resolution authorizing the Mayor to execute a Grant Award to accept funds of \$54,825.00 from the Department of Justice Programs under the FY09 Recovery Act Edwards Byrne Memorial Justice Assistance Grant Program

MOTION: Councilmember Honeycutt moved to approve the consent agenda. Mayor Pro-tem Clifford seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Councilmember White Councilmember Salinas Councilmember Moman Mayor Pro-tem Clifford Mayor McGraw
	Nays:	None
	Absent:	Councilmember Whitfield

ACTION: The motion carried unanimously.

APPROVAL OF MINUTES:

*6A. Consider approval of the City Council minutes for August 27, 2009. This item was approved under the consent agenda.

Mayor McGraw went out of the order of the regular agenda with the unanimous consent of the Council to consider the following items:

PUBLIC HEARINGS:

8A1. Consider public testimony regarding the proposed 2009 Property Tax Rate for the City of Round Rock. (Second Public Hearing)

Cheryl Delaney, Finance Director, made the staff presentation regarding the proposed tax rate, the 2009-2010 proposed operating budget, the proposed water/wastewater rates and the hotel/motel occupancy tax budget all at the same time.

Mayor McGraw opened the public hearing for testimony.

There being none, the public hearing was closed.

8A2. Consider public testimony regarding the proposed 2009-2010 operating budget for the City of Round Rock. (First Public Hearing) Cheryl Delaney, Finance Director made the staff presentation earlier in the meeting.

Mayor McGraw opened the public hearing for testimony.

There being none, the public hearing was closed.

[8A3. Consider public testimony regarding the proposed amendments to the water and wastewater rates.](#) Cheryl Delaney, Finance Director made the staff presentation earlier in the meeting.

Mayor McGraw opened the public hearing for testimony.

There being none, the public hearing was closed.

ORDINANCES:

[9D1. Consider an ordinance amending the 2008-2009 Tree Fund Budget. \(First Reading\)\(Requires Two Readings\)](#) Cheryl Delaney, Finance Director made the staff presentation.

MOTION: Councilmember Salinas moved to approve the ordinance. Councilmember Honeycutt seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Councilmember White Councilmember Salinas Councilmember Moman Mayor Pro-tem Clifford Mayor McGraw
	Nays:	None
	Absent:	Councilmember Whitfield

ACTION: The motion carried unanimously.

[9D2. Consider an ordinance adopting the FY2009-2010 Operating Budget for the City of Round Rock. \(First Reading\)\(Requires Two Readings\)](#) Cheryl Delaney, Finance Director made the staff presentation earlier in the meeting.

ORDINANCE NO. _____

AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE CITY OF ROUND ROCK, TEXAS, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010, DIRECTING THE CITY SECRETARY TO FILE A TRUE COPY OF THE BUDGET WITH THE COUNTY CLERK OF WILLIAMSON COUNTY, TEXAS.

MOTION: Councilmember White moved to approve the ordinance. Councilmember Salinas seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Councilmember White Councilmember Salinas Councilmember Moman Mayor Pro-tem Clifford Mayor McGraw
	Nays:	None
	Absent:	Councilmember Whitfield

ACTION: The motion carried unanimously.

[9D3. Consider an ordinance adopting the 2009 Property Tax Rate for the City of Round Rock. \(First Reading\)\(Requires Two Readings\)](#) Cheryl Delaney, Finance Director made the staff presentation earlier in the evening.

ORDINANCE NO. _____

AN ORDINANCE LEVYING TAXES FOR THE MAINTENANCE AND OPERATION OF THE MUNICIPAL GOVERNMENT OF THE CITY OF ROUND ROCK, TEXAS, AND PROVIDING FOR THE INTEREST AND SINKING FUND FOR THE YEAR 2009.

MOTION: Councilmember Honeycutt moved to approve the ordinance. Mayor Pro-tem Clifford seconded the motion.

VOTE: Ayes: Councilmember Honeycutt
 Councilmember White
 Councilmember Salinas
 Councilmember Moman
 Mayor Pro-tem Clifford
 Mayor McGraw
 Nays: None
 Absent: Councilmember Whitfield

ACTION: The motion carried unanimously.

[9D4. Consider an ordinance amending the City’s water and wastewater rates. \(First Reading\)\(Requires Two Readings\)](#) Cheryl Delaney, Finance Director made the staff presentation earlier in the meeting.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 10, SECTIONS 10.201 AND 10.202, CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, AMENDING WATER AND WASTEWATER UTILITY RATES; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

MOTION: Mayor Pro-tem Clifford moved to approve the ordinance. Councilmember Moman seconded the motion.

VOTE: Ayes: Councilmember Honeycutt
 Councilmember White
 Councilmember Salinas
 Councilmember Moman
 Mayor Pro-tem Clifford
 Mayor McGraw
 Nays: None
 Absent: Councilmember Whitfield

ACTION: The motion carried unanimously.

[9D5. Consider an ordinance adopting the FY 2009-2010 Library Fund Budget. \(First Reading\)\(Requires Two Readings\)](#) Cheryl Delaney, Finance Director made the staff presentation earlier in the meeting.

ORDINANCE NO. _____

AN ORDINANCE ADOPTING A BUDGET FOR THE LIBRARY FUND FOR THE 2009-2010 FISCAL YEAR.

MOTION: Councilmember Salinas moved to approve the ordinance. Councilmember Honeycutt seconded the motion.

VOTE: Ayes: Councilmember Honeycutt
 Councilmember White
 Councilmember Salinas
 Councilmember Moman
 Mayor Pro-tem Clifford
 Mayor McGraw
 Nays: None
 Absent: Councilmember Whitfield

ACTION: The motion carried unanimously.

[9D6. Consider an ordinance adopting the FY 2009-2010 Hotel/Motel Occupancy Tax Budget.](#)

[\(First Reading\)\(Requires Two Readings\)](#) Cheryl Delaney, Finance Director made the staff presentation earlier in the meeting.

ORDINANCE NO. _____

AN ORDINANCE ADOPTING THE HOTEL OCCUPANCY TAX BUDGET OF THE CITY OF ROUND ROCK, TEXAS FOR FISCAL YEAR 2009-2010.

MOTION: Mayor Pro-tem Clifford moved to approve the ordinance. Councilmember Honeycutt seconded the motion.

VOTE: Ayes: Councilmember Honeycutt
 Councilmember White
 Councilmember Salinas
 Councilmember Moman
 Mayor Pro-tem Clifford
 Mayor McGraw
 Nays: None
 Absent: Councilmember Whitfield

ACTION: The motion carried unanimously.

RESOLUTIONS:

[10B1. Consider a resolution authorizing the Mayor to execute a Community Development](#)

[Block Grant Agreement with Habitat for Humanity of Williamson County.](#) Liz Alvarado, CDBG Assistant made staff presentation.

MOTION: Councilmember Salinas moved to approve the resolution. Councilmember Moman seconded the motion.

VOTE: Ayes: Councilmember Honeycutt
 Councilmember White
 Councilmember Salinas
 Councilmember Moman
 Mayor Pro-tem Clifford
 Mayor McGraw
 Nays: None
 Absent: Councilmember Whitfield

ACTION: The motion carried unanimously.

[10C1. Consider a resolution authorizing the Mayor to execute an Interlocal Agreement with Williamson County for use of property for the Neighborhood Conference Committee.](#) David Kautz, Assistant City Manager, made the staff presentation.

MOTION: Councilmember Salinas moved to approve the resolution. Councilmember Moman seconded the motion.

VOTE: Ayes: Councilmember Honeycutt
 Councilmember White
 Councilmember Salinas
 Councilmember Moman
 Mayor Pro-tem Clifford
 Mayor McGraw
 Nays: None
 Absent: Councilmember Whitfield

ACTION: The motion carried unanimously.

Mayor Pro-Tem Clifford took over the meeting and resumed with the normal order of the agenda.

PRESENTATIONS:

[7A. Consider a presentation regarding, and action approving the Capital Improvement Plan Progress Semi-Annual Report from the Capital Improvements Advisory Committee.](#) Michael Thane, Utilities Director made the staff presentation.

MOTION: Councilmember Salinas moved to approve the semi-annual report. Councilmember Honeycutt seconded the motion.

VOTE: Ayes: Councilmember Honeycutt
 Councilmember White
 Councilmember Salinas
 Councilmember Moman
 Mayor Pro-tem Clifford
 Mayor McGraw
 Nays: None
 Absent: Councilmember Whitfield

ACTION: The motion carried unanimously.

ORDINANCES:

[*9A1. Consider an ordinance repealing Ordinance No. G-00-01-27-12D7 and designating the intersection of Greenlawn Boulevard and a Dell driveway as an all-way stop intersection. \(Second Reading\)](#) This item was approved under the consent agenda.

ORDINANCE NO. _____

AN ORDINANCE REPEALING ORDINANCE NO. G-00-01-27-12D7; AND AMENDING THE TRAFFIC CODE BY DESIGNATING THE INTERSECTION OF GREENLAWN BOULEVARD AND A DELL DRIVEWAY AS AN ALL-WAY STOP INTERSECTION; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

*9A2. Consider an ordinance designating the intersection of Parker Drive and Jarrett Way as an all-way stop intersection. (Second Reading) This item was approved under the consent agenda.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE TRAFFIC CODE BY DESIGNATING THE INTERSECTION OF PARKER DRIVE AND JARRETT WAY AS AN ALL-WAY STOP INTERSECTION; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

*9A3. Consider an ordinance amending Chapter 9, Section 9.503, Code of Ordinances, amending a school speed zone on Gattis School Road. (First Reading)(Requires Two Readings) This item was approved under the consent agenda.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, CHAPTER 9, SECTION 9.503 AMENDING A SCHOOL SPEED ZONE ON GATTIS SCHOOL ROAD; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

*9A4. Consider an ordinance authorizing a temporary 35-mph construction speed zone on Old Settlers Boulevard from Chandler Creek to Fairview Drive. (First Reading)(Requires Two Readings) This item was approved under the consent agenda.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 9, SECTION 9.504, CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, ADOPTING A TEMPORARY CONSTRUCTION SPEED ZONE FOR A PORTION OF OLD SETTLERS BOULEVARD; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

*9A5. Consider an ordinance granting a franchise to Waste Management of Texas, Inc. to engage in non-residential garbage collection within the City. (First Reading)(Requires Two Readings)
This item was approved under the consent agenda.

ORDINANCE NO. _____

AN ORDINANCE GRANTING A FRANCHISE TO WASTE MANAGEMENT OF TEXAS, INC. TO ENGAGE IN THE COLLECTION OF SPECIFIED WASTE MATERIALS FROM NON-RESIDENTIAL ESTABLISHMENTS WITHIN THE CITY OF ROUND ROCK, TEXAS; ESTABLISHING FRANCHISE FEES; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

9B1. Consider an ordinance amending Garbage Collection Rates for Residential Customers. (First Reading)(Requires Two Readings) Tom Word, Chief of Public Works made the staff presentation.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 6, SECTION 6.615, CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, BY AMENDING THE GARBAGE COLLECTION SERVICE CHARGES; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

MOTION: Councilmember Honeycutt moved to approve the ordinance. Councilmember Moman seconded the motion.

VOTE: Ayes: Councilmember Honeycutt
 Councilmember White
 Councilmember Salinas
 Councilmember Moman
 Mayor Pro-tem Clifford
 Mayor McGraw
 Nays: None
 Absent: Councilmember Whitfield

ACTION: The motion carried unanimously.

9C1. Consider an ordinance amending Section 4.03, Holidays, of the Human Resources

Policies and Procedure Manual. (First Reading) David Kautz, Assistant City Manager made the staff presentation.

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 4.03 HOLIDAYS OF THE HUMAN RESOURCES POLICIES AND PROCEDURES MANUAL; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

MOTION: Councilmember Honeycutt moved to approve the ordinance. Councilmember Salinas seconded the motion.

VOTE: Ayes: Councilmember Honeycutt
 Councilmember White
 Councilmember Salinas
 Councilmember Moman
 Mayor Pro-tem Clifford
 Mayor McGraw
 Nays: None
 Absent: Councilmember Whitfield

ACTION: The motion carried unanimously.

MOTION: Councilmember Salinas moved to dispense with second reading with the unanimous consent of all members present and adopt the ordinance. Councilmember Honeycutt seconded the motion.

VOTE: Ayes: Councilmember Honeycutt
 Councilmember White
 Councilmember Salinas
 Councilmember Moman
 Mayor Pro-tem Clifford
 Mayor McGraw
 Nays: None
 Absent: Councilmember Whitfield

ACTION: The motion carried unanimously.

RESOLUTIONS:

*10A1. Consider a resolution authorizing the Mayor to execute a Grant Award to accept funds of \$54,825.00 from the Department of Justice Programs under the FY09 Recovery Act Edwards Byrne Memorial Justice Assistance Grant Program. This item was approved under the consent agenda.

[10D1. Consider a resolution authorizing the Mayor to execute Changer Order No. 1 with Patin Construction, LLC for the Unit 2 of the 2006-2007 Wastewater Collection System Rehabilitation Project.](#)

Michael Thane, Utilities Director made the staff presentation.

MOTION: Councilmember Moman moved to approve the resolution. Councilmember Salinas seconded the motion.

VOTE:

Ayes:	Councilmember Honeycutt Councilmember White Councilmember Salinas Councilmember Moman Mayor Pro-tem Clifford Mayor McGraw
Nays:	None
Absent:	Councilmember Whitfield

ACTION: The motion carried unanimously.

[10E1. Consider a resolution authorizing the Mayor to execute Quantity Adjustment No. 1 with BRH-Garver Construction, LP for the Southwest Downtown District Infrastructure Improvements Phase 1B Project.](#) Tom Word, Chief of Public Works, made the staff presentation.

MOTION: Councilmember White moved to approve the resolution. Councilmember Honeycutt seconded the motion.

VOTE:

Ayes:	Councilmember Honeycutt Councilmember White Councilmember Salinas Councilmember Moman Mayor Pro-tem Clifford Mayor McGraw
Nays:	None
Absent:	Councilmember Whitfield

ACTION: The motion carried unanimously.

[10E2. Consider a resolution authorizing the Mayor to execute Change Order No. 2 with BRH-Garver Construction, LP for the Southwest Downtown District Infrastructure Improvements Phase 1B Project.](#) Tom Word, Chief of Public Works, made the staff presentation.

MOTION: Councilmember Honeycutt moved to approve the resolution. Councilmember Moman seconded the motion.

VOTE:

Ayes:	Councilmember Honeycutt Councilmember White Councilmember Salinas Councilmember Moman Mayor Pro-tem Clifford Mayor McGraw
Nays:	None
Absent:	Councilmember Whitfield

ACTION: The motion carried unanimously.

[10E3. Consider a resolution authorizing the Mayor to execute Quantity Adjustment No. 1 with Viking Construction for the 2008 Street Maintenance Program \(Micro-Resurfacing\) Project.](#) Tom Word, Chief of Public Works made the staff presentation.

MOTION: Councilmember Salinas moved to approve the resolution. Councilmember Honeycutt seconded the motion.

VOTE: Ayes: Councilmember Honeycutt
 Councilmember White
 Councilmember Salinas
 Councilmember Moman
 Mayor Pro-tem Clifford
 Mayor McGraw
 Nays: None
 Absent: Councilmember Whitfield

ACTION: The motion carried unanimously.

[10E4. Consider a resolution authorizing the Mayor to execute a Contract for Engineering Services with Huggins/Seiler & Associates, L.P. for the South Mays Street at Gattis School Road Project.](#)
Tom Word, Chief of Public Works made the staff presentation.

MOTION: Councilmember Moman moved to approve the resolution. Councilmember Honeycutt seconded the motion.

VOTE: Ayes: Councilmember Honeycutt
 Councilmember White
 Councilmember Salinas
 Councilmember Moman
 Mayor Pro-tem Clifford
 Mayor McGraw
 Nays: None
 Absent: Councilmember Whitfield

ACTION: The motion carried unanimously.

[10E5. Consider a resolution authorizing the Mayor to execute a contract for engineering services with URS Corporation for the Transportation Master Plan-Update Project.](#) Tom Word, Chief of Public Works made the staff presentation.

MOTION: Councilmember Salinas moved to approve the resolution. Councilmember Honeycutt seconded the motion.

VOTE: Ayes: Councilmember Honeycutt
 Councilmember White
 Councilmember Salinas
 Councilmember Moman
 Mayor Pro-tem Clifford
 Mayor McGraw
 Nays: None
 Absent: Councilmember Whitfield

ACTION: The motion carried unanimously.

EXECUTIVE SESSION:

11A. Consider an executive session as authorized by §551.072 Texas Government Code, related to the purchase of real property to wit: 310 W. Bagdad Avenue, Round Rock, Texas.

This item was also included in the Packet Briefing Agenda for September 8, 2009 and was considered at that time.

ACTION RELATIVE TO EXECUTIVE SESSION:

12A. Consider a resolution expressing the City Council's intent to proceed with negotiations to acquire the tract of land located at 310 W. Bagdad Avenue.

This item was also included in the Packet Briefing Agenda for September 8, 2009 and was considered at that time.

[COUNCIL COMMENTS](#)

[ADJOURNMENT](#)

There being no further business, the meeting was adjourned at 8:58 p.m.

Respectfully Submitted,

Sara L. White, City Secretary